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OFFICE OF PETITIONS

In re Application of
BIEDERMANN, et al.
Application No.: 09/596,086
Filed: June 16, 2000
Attorney Docket No.: 69054

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

This is a decision on the petition under 37 CFR 1.137(b), filed May 18, 2005, to revive the above-identified application.

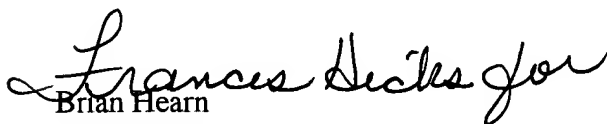
The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed March 22, 2004, which set a shortened statutory period for reply of three (3) months. While a timely reply was filed on August 23, 2004 (reply was accompanied by petition for a two-month extension of time with certificate of mailing of August 23, 2004), that reply did not prima facie place this application in condition for allowance as indicated by the Advisory Action of September 13, 2004. A Notice of Appeal was not filed. Accordingly, by operation of law, the above-identified application became abandoned on August 23, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a Request for Continued Examination (RCE) and submission as required by 37 CFR 1.114; (2) the petition fee and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office action of March 22, 2004 is accepted as having been unintentionally delayed.

The application is being referred to Technology Center AU 1624.

Telephone inquiries concerning this decision should be directed to Derek A. Putonen at (571) 272-3294 or in his absence, the undersigned at (571) 272-3217



Brian Hearn
Petitions Examiner
Office of Petitions